

REMARKS

The Office Action notes that claims 1-29 are pending in the application. By this amendment, claims 1, 3, 5, 7-10, 12-16, 19-20, and 29 have been amended, claims 21-28 have been withdrawn, and claims 30-33 have been added. Therefore, claims 1-20 and 29-33 are currently pending in the application. The amendments to the claims and the new claims are fully supported by the specification and do not add any new matter to the application.

In addition, Applicant has attached to this Response Replacement Drawing Sheets that make the following changes. In FIG. 4, the reference number 206 has been changed to 214 to correspond to the specification. In FIG. 5, the reference number 253 was added to correspond to the specification. In FIG. 7, the fare "\$99" at reference number 306 was changed to "\$202" to correspond to the specification. In FIG. 9, the reference number 138 was added to correspond to the specification. Applicant submits that all of these changes are supported in the original application and do not constitute new matter.

In the Office Action, the Examiner: (1) issued a restriction requirement under 35 USC §121; (2) rejected claims 1-29 under 35 USC §112, second paragraph; (3) rejected claims 1-6, 9-16, 19-20, and 29 under 35 USC §102(e); and (4) rejected claims 7-8 and 17-18 under 35 USC §103(a). Applicant responds to the Examiner's rejections below and respectfully requests reconsideration of the Examiner's rejections.

Election/Restrictions

The Examiner issued a restriction requirement under 35 USC §121, requiring the election of one invention between Group I (claims 1-20 and 29) and Group II (claims 21-28). Applicant herein affirms its election without traverse to prosecute the invention of Group I (claims 1-20 and 29).

Claim Rejections - 35 USC §112, Second Paragraph

The Examiner rejected claims 1-20 and 29 under 35 USC §112, second paragraph. The Examiner believes that the term “flexible travel requirements” is a relative term, which renders the claim indefinite. Applicant respectfully submits that the above amendments address this rejection and respectfully requests withdrawal of the same.

In addition, as to claim 13, the Examiner believes that the limitation “where at least one of said one or more departure dates and said one of more return dates comprises a plurality of dates” is unclear. Applicant respectfully submits that the above amendments address this rejection and respectfully requests withdrawal of the same.

Claim Rejections - 35 USC §102(e)

The Examiner rejected claims 1-6, 9-16, 19-20, and 29 under 35 USC §102(e) as being anticipated by US Publication No. 2004/0078252 (“Daughtrey”). Applicant respectfully traverses this rejection.

As to independent claims 1 and 13, Daughtrey does not teach or suggest “providing a plurality of flexible date search options to a user” or “receiving a search option selection from the user” as recited in independent claims 1 and 13, as amended. In Daughtrey, a user is limited to only one search option. A user can only search for flights by entering the duration of the trip and a date range for the departure date (see ¶[0031]). The user is not provided with any other search options and the system does not receive any type of search option selection from the user. Conversely, in the current invention a user is provided with multiple flexible date search options so that the user can select the best search option depending on the type of trip the user is taking. Examples of the search options provided to the client for selection include, but are not limited to: (1) a “Weekends” search, which allows the user to search for weekend trips any time within a

user defined interval (see e.g. ¶¶ [0027] and [0029]-[0034]); (2) a “Bonus Days” search, which allows the user to search for a trip having specific departure and return dates with some flexibility around the departure date, return date, or both (see e.g. ¶¶ [0027] and [0039]-[0042]); or (3) a “Flexible Stays” search, which allows the user to search for trips having a predetermined length any time within a user defined interval (see e.g. ¶¶ [0027] and [0044]-[0047]). Therefore, the current invention is more flexible than the system taught in Daughtrey and gives the user more options in searching for a flexible date trip. Daughtrey does not teach or suggest providing multiple flexible date search options to a user or receiving a search option selection from a user and therefore does not anticipate claims 1 or 13.

Therefore, Applicant respectfully submits that independent claims 1 and 13 are patentable over Daughtrey. Claims 2-12 depend from independent claim 1 and claims 14-20 depend from independent claim 13 and for the reasons stated above are also patentable over Daughtrey.

As to independent claim 29, Daughtrey does not teach or suggest “means for receiving a flexible date search option from a user” as recited in independent claim 29, as amended. As discussed above, in Daughtrey, a user is limited to only one search option and the system does not receive any type of search option selection from the user. Conversely, in the current invention a user is provided with multiple flexible date search options so that the user can select the best search option depending on the type of trip the user is taking, which makes the current invention is more flexible than the system taught in Daughtrey and gives the user more options in searching for a flexible date trip.

Therefore, Applicant respectfully submits that independent claim 29 is patentable over Daughtrey.

As to new independent claim 30, Daughtrey does not teach or suggest “receiving travel date information from the user, the travel date information comprising a trip date range and a trip length” as recited in new independent claim 30. As discussed above, in Daughtrey, a user is limited to searching for flights by entering the duration of the trip and a date range for the departure date (see ¶[0031]). The user is not allowed to enter a trip date range (e.g. an earliest departure date and a latest return date), only the length of the stay and when the user wants to depart. Conversely, in the current invention a user can, for example, search for a three day trip (the “trip length”) any time in the month of October (the “trip date range”). This type of search is not possible with the system and method taught by Daughtrey.

Therefore, Applicant respectfully submits that independent claim 30 is patentable over Daughtrey. Claims 31-33 depend from independent claim 30 and for the reasons stated above are also patentable over Daughtrey.

Claim Rejections - 35 USC §103

The Examiner rejected claims 7-8 and 17-18 under 35 USC §103(a) as being unpatentable over Daughtrey in view of US Patent No. 6,304,850 (“Keller”). Applicant respectfully traverses this rejection and submits that claims 7-8 and 17-18 are patentable over Daughtrey in view of Keller.

As to claims 7 and 8, these claims depend from independent claim 1. As discussed above for independent claim 1, Daughtrey does not teach or suggest “providing a plurality of flexible date search options to a user” or “receiving a search option selection from the user” as recited in independent claim 1, as amended. In addition, Keller does not teach or suggest providing a plurality of search options or receiving a search option selection from a user. In both Daughtrey and Keller the user is confined to one search option. Conversely, in the current invention a user

is provided with multiple flexible date search options so that the user can select the best search option depending on the type of trip the user is taking, which makes the current invention is more flexible than the systems taught in Daughtrey and Keller and gives the user more options in searching for a flexible date trip.

Therefore, even if such a combination as Daughtrey and Keller were made, which Applicant does not concede is proper, the purported combination still would not reflect all of the elements recited in independent claim 1 as neither Daughtrey nor Keller teaches or suggests providing multiple search options to a user and receiving a search option selection from the user. Claims 7 and 8 depend from independent claim 1 and for the reasons stated above are also patentable over Daughtrey in view of Keller.

As to claims 17 and 18, these claims depend from independent claim 13. As discussed above for independent claim 13, Daughtrey does not teach or suggest “providing a plurality of flexible date search options to a user” or “receiving a search option selection from the user” as recited in independent claim 13, as amended. In addition, Keller does not teach or suggest providing a plurality of search options or receiving a search option selection from a user. In both Daughtrey and Keller the user is confined to one search option. Conversely, in the current invention a user is provided with multiple flexible date search options so that the user can select the best search option depending on the type of trip the user is taking, which makes the current invention is more flexible than the systems taught in Daughtrey and Keller and gives the user more options in searching for a flexible date trip.

Therefore, even if such a combination as Daughtrey and Keller were made, which Applicant does not concede is proper, the purported combination still would not reflect all of the elements recited in independent claim 13 as neither Daughtrey nor Keller teaches or suggests

providing multiple search options to a user and receiving a search option selection from the user. Claims 17 and 18 depend from independent claim 13 and for the reasons stated above are also patentable over Daughtrey in view of Keller.

As to new independent claim 30, neither Daughtrey nor Keller teach or suggest “receiving travel date information from the user, the travel date information comprising a trip date range and a trip length” as recited in new independent claim 30. As discussed above, in Daughtrey, a user is limited to searching for flights by entering the duration of the trip and a date range for the departure date (see ¶[0031]). The user is not allowed to enter a trip date range (e.g. an earliest departure date and a latest return date), only the length of the stay and when the user wants to depart. Similarly, in Keller, a user is also limited to searching for flights by entering an approximate departure date and an approximate return date. The user is not allowed to enter a trip date range, only the approximate date they want to leave and the approximate date they want to return. Conversely, in the current invention a user can, for example, search for a three day trip (the “trip length”) any time in the month of October (the “trip date range”).

Therefore, even if such a combination as Daughtrey and Keller were made, which Applicant does not concede is proper, the purported combination still would not reflect all of the elements recited in independent claim 30. Claims 31-33 depend from independent claim 30 and for the reasons stated above are also patentable over Daughtrey in view of Keller.

Conclusion

In view of the aforesaid, Applicant respectfully submits that claims 1-20 and 29-33 are in condition for allowance and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

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